



**TOWN OF LOOMIS**  
**ACTION MINUTES**  
**REGULAR MEETING OF**  
**LOOMIS TOWN COUNCIL**  
**LOOMIS TOWN HALL,**  
**6140 HORSESHOE BAR ROAD, SUITE K**  
**LOOMIS, CA 95650**

**TUESDAY**

**JULY 11, 2006**

**7:00 P.M.**

**CLOSED SESSION** – Pursuant to cited authority, the Town Council will hold a closed session to discuss the following listed items. A report of any action taken will be presented prior to adjournment of the regular meeting.

- a. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
Pursuant to Subdivision (a) of Section 54956.9:  
Bickford Ranch Heritage Coalition v. County of Placer  
Placer County Case No. SCV 12793
- b. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Initiation of litigation pursuant to subdivision Section 54956.9: Three potential cases
- c. **CONFERENCE WITH LABOR NEGOTIATORS** – Pursuant to Section 54957.6 of the Government Code:  
Agency Negotiator: Perry Beck, Town Manager  
Employee Organization – Represented: -Maintenance Workers (Operating Engineers, Local 39)  
-Loomis Diversified Employees

**TUESDAY**

**JULY 11, 2006**

**7:30 P.M.**

**CALL TO ORDER**

Call to order by Mayor Morillas at 7:35 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Present:

Mayor Morillas  
Councilmember Fuson  
Councilmember Millward  
Councilmember Scherer  
Councilmember Ucovich

**STATEMENT OF ACTION TAKEN DURING CLOSED SESSION**

- a. No action.
- b. No action.
- c. No action.

**MATTERS OF INTEREST TO COUNCILMEMBERS**

Councilmember Ucovich stated the following:

- he is working on getting a Farmers Market in Loomis again
- asked staff to look into the landscaping business that has moved into the mortuary building and is storing their supplies in the back

Councilmember Scherer stated he would like to open and close the meeting in memory of Tom Benzien who needs to be recognized for his contribution to the Town for his generous time and patience.

All items on the agenda will be open for public comment before final action is taken. Speakers are requested to restrict comments to the item as it appears on the agenda and stay within a five-minute time limit. The Mayor has the discretion of limiting the total discussion time for an item.

**Written Material Introduced Into the Record:** Citizens wishing to introduce written material into the record at the public hearing on any item are requested to provide a copy of the written material to the Town Clerk prior to the public hearing date so that the material may be distributed to the Town Council prior to the public hearing.

**PUBLIC COMMENT:** This time is reserved for those in the audience who wish to address the Town Council on subjects that are not on the Agenda. The audience should be aware that the Council may not discuss details or vote on non-agenda items. Your concerns may be referred to staff or placed on the next available agenda. Please **note that comments from the public will also be taken on any item on the agenda. The time allotted to each speaker is five minutes.**

No public comment.

**ADOPTION OF AGENDA**

A motion was made to adopt the Agenda. On motion by Councilmember Scherer, seconded by Councilmember Fuson and passed by voice vote.

**OPPORTUNITY TO COMMENT ON CONSENT CALENDAR:** All items listed under the Consent Agenda are considered by the Council to be routine in nature and will be enacted by one motion unless an audience member or Councilmember requests otherwise, in which case, the item will be removed for separate consideration.

A motion was made to adopt the Consent Agenda pulling Item 6 forward for discussion. On motion by Councilmember Fuson, seconded by Councilmember Ucovich and passed by voice vote.

<u>CONSENT AGENDA</u>	<u>RECOMMENDED ACTION</u>
1. Council Minutes – 6/13/06	APPROVE
2. Monthly Check Register – June	RECEIVE AND FILE
3. Statement of Activity	RECEIVE AND FILE
4. Treasurer’s Report	RECEIVE AND FILE
5. Planning Status Report	RECEIVE AND FILE
7. A Resolution of the Town Council of the Town of Loomis Approving Wage and Benefit Changes with the Loomis Diversified Employees Group and With the Loomis Public Works Employee’s Bargaining Unit (Operating Engineers, Stationary Local No. 39)	ADOPT RESOLUTION Resolution 06-27

**CONSENT ITEMS FORWARDED**

6. Select Projects Update	RECEIVE AND FILE
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Councilmember Millward asked if the lights for the tennis courts at Del Oro High School were approved by Council.

Perry Beck, Town Manager, noted that Council did approve park grant funding for \$47,540 and would get back to Councilmember Millward with more information on that approval.

A motion was made to receive and file. On motion by Councilmember Ucovich, seconded by Councilmember Millward and passed by voice vote.

## PUBLIC HEARING

### 8. Zoning Ordinance Revisions for Entire Town on Processing of Second Units

Consider draft Zoning Ordinance revisions for second units

**Recommended action:** Continue to September 12, 2006 in order to receive a written report from the Planning Commission scheduled for August 15<sup>th</sup>

**Public comment:**

No public comment.

Following further discussion on the matter, a motion was made to continue this item to September 12, 2006. On motion by Councilmember Scherer, seconded by Councilmember Fuson and passed by voice vote.

### 9. Zoning Ordinance Revisions for Entire Town on Processing of New Second Story Homes and Additions

Consider draft Zoning Ordinance revisions that would provide some criteria and/or Discretionary review of second story additions and new two story homes and accessory structures

**Recommended action:** Continue to August 8, 2006 receive a written report from the Planning Commission on the second story home processing ordinance and discussing procedure for handling this item with Planning Commission on July 18, 2006 at the joint quarterly meeting

**Public comment:**

No public comment.

Following further discussion on the matter, a motion was made to continue this item to August 8, 2006. On motion by Councilmember Millward, seconded by Councilmember Scherer and passed by voice vote.

### 10. Zoning Ordinance Revisions for Entire Town Regarding Compact Parking Spaces

Consider allowing a percentage of compact parking spaces in commercial zones in order to provide space for trees within the parking lots

**Recommended action:** Open public hearing, take testimony, give any direction on proposed revisions to staff on the proposed ordinance and hold first reading by title only, waiving reading

**Public comment:**

No public comment.

Following further discussion on the matter, Council directed staff to revise the ordinance to include "a third of the spaces shall be compact with design throughout." A motion was made to hold first reading of the revised Ordinance 229, allowing compact parking spaces. On motion by Councilmember Ucovich, seconded by Councilmember Scherer and passed by the following roll call vote:

Ayes: Fuson, Millward, Morillas, Scherer, Ucovich

Noes: None

### 11. General Plan Floodplain Amendments

Consider amending the General Plan to allow construction of non-residential structures in floodplains under limited circumstances

**Recommended action:** Adopt resolution amending the General Plan with respect to allowable structures in local floodplains

**Public comment:**

Kai Krienke, 5397 Brace Road, stated the following:

- asked to have this continued
- adopting this resolution could cause the value of his property to go down
- his property borders two proposed developers that will directly affect him

Gerald Neal, 5490 Brace Road, pointed out the following:

- at the corner of Sierra College Boulevard and Brace Road they have been bringing in and moving around a lot of dirt
- could be affecting the waterway

Cheryl Benson, Brace Road, stated the following:

- the natural drainage from all of the surrounding properties have been affected since dirt was brought in and moved
- new development may cause additional problems for the existing homes

Vic Markey, South Walnut Street, pointed out that the development at Sierra College Boulevard and Brace Road will be setting aside half of the property for wetlands.

Following further discussion on the matter, Council directed staff to review the existing ordinance to see if it covers restrictions of certain hazardous materials within the floodplain (under State or Federal laws) and if not covered, to come back with appropriate language for Council's consideration.

A motion was made to continue this item to August. On motion by Councilmember Scherer and the motion was not seconded so the motion failed.

A motion was made to adopt Resolution 06-28, amending the General Plan with respect to allowable structures in local floodplains. On motion by Councilmember Millward, seconded by Councilmember Ucovich and passed by the following roll call vote:

Ayes: Fuson, Millward, Morillas, Ucovich

Noes: Scherer

12. **Statewide Community Infrastructure Program** (Continued from June 13, 2006)

Consider participation in the Statewide Community Infrastructure Program (SCIP) which is sponsored by the California Statewide Communities Development Authority (CSCDA), a financing method for certain development impact fees

**Recommended action:** Discuss, take public comment, and decide whether to adopt the resolution and join SCIP and become a participating member agency in the program

**Public comment:**

John Dunlap, representing Heritage Park Estates Phase 2 and Gridiron Development, stated the following:

- hope to receive support to take part in the Statewide Community Infrastructure Program (SCIP)
- the application process has a deadline for the time it can be considered in the Town and has to be filed with the State
- requested Council to adopt the resolution

Matt Eller, Gridiron Development, stated the following:

- this does help the developers pay some of the infrastructure in order for homes to be built
- the money is well disclosed to the new homeowner
- people look at their monthly mortgage payment

Jean Wilson, 4301 Barton Road, questioned how this shows on the tax bill as a bond and if it becomes tax deductible for the homeowner on their income tax.

Council discussed the following:

- this could be a good way for a small developer to make it more cost effective
- it will be at the Council's discretion per development
- questioned how do you say yes to one project and no to another
- development impact fees will be moved from the mortgage to the tax bill
- school and fire measures will not pass because residents look at their tax bill and not their mortgage
- this only benefits the developer

Following further discussion on the matter, a motion was made to adopt the Resolution authorizing the Town to join the Statewide Community Infrastructure Program. On motion by Councilmember Fuson and seconded by Councilmember Ucovich.

Dave Larsen, Town Attorney, clarified that the way the resolution is worded it will not be at the Council's discretion to accept/not accept applications as previously discussed.

Councilmember Ucovich withdrew his vote and the motion died.

Recess at 9:12 p.m. to 9:22 p.m.

## **BUSINESS**

13. **Placer County Transportation Planning Agency (PCTPA) Expenditure Plan**

Celia McAdam, Executive Director with PCTPA, will provide an update on the strategy to address Placer's transportation needs and how it fits in with the State's infrastructure Bond proposals for the November 2006 ballot

**Recommendation action:** Receive and file.

**Public comment:**

Celia McAdam, Placer County Transportation Planning Agency, gave a presentation on Placer's transportation needs and answered questions.

Received and filed.

14. **Open Space Property Purchase**

Consider proposals that the Open Space Committee has developed for acquisition of property for open space (nature preserve) purposes on Brace Road next to Secret Ravine

**Recommended action:** Discuss and direct staff

**Public comment:**

Pat Miller, 4395 Gold Trail Way and on the Open Space Committee, stated the following:

- they would like to see some kind of nature reserve, not subject to any kind of development
- like to see the Town go into a lease option while the Open Space Committee raises funds to buy it
- suggested allocating money from the Open Space and Tree Mitigation funds

Ed Stirtz, 6120 Brace Road, stated the following:

- the property is very unique
- numerous concerns such as - being accessible to the public, people trespassing or fishing on both sides of the creek, maintenance and security and possible activities at night

Jean Wilson stated the following:

- a walking and biking trail was a plan talked about years ago
- most of the property has a high steep bank and is more accessible from the back
- would hope this could be a place where school children could learn about the habitat
- asked Council to give this serious consideration

John Knott, 6490 Oak Ridge Drive, stated the following:

- he has a 32 year career as a park manager
- the property has strong public values and wild life habitat attributes that are worth preserving
- a house next to a creek is more of an impact on wildlife then minimal use that public property would have
- it is understandable adjacent property owners are very concerned with the possibility of public coming into an area and it is only after a park has established itself and set a pattern of use and prove that it is an attribute that the neighbors slowly change their minds
- the proposal is worth considering and it could be managed in a way that it would be an attribute to the local community

Vic Markey, Open Space Committee, stated he supports the proposal and would like to have it accessible to the community.

Gary Liss, 4395 Gold Trail Way and on the Open Space Committee, stated the following:

- this is a unique opportunity to preserve the green belt along the Secret Ravine Creek corridor
- prefer to save it just for the wildlife habitat and not for trails
- The Funding Task Force of the Open Space Committee are looking for State and Federal Grants

Kim Stirtz, 6120 Brace Road, noted that letting public go onsite would not be compatible with the preservation of wildlife.

Kai Krienke pointed out that public access would be a deterrent along Brace Road.

Helen Florance, with Loomis Basin Park Foundation, noted the following:

- a survey was sent out to the residents and the results showed a desire for walking paths to enjoy nature
- she supports the purchase of the property

Following further discussion on the matter, Council directed staff to structure a deal, not to exceed a \$100,000, and come back for Council's approval.

15. **Brace Road Multi-Way Stop Engineering Study**

Consider Omni-Means study report analyzing stop signs on Brace Road

**Recommended action:** Discuss and decide the following: 1) follow Omni-Means engineering study and do not install any additional stop signs on Brace Road at this time and monitor the location for future multi-way stop consideration; or 2) consider installing a multi-way stop on one of the six evaluated locations.

**Public comment:**

Cheryl Benson, Brace Road, questioned the line of site in Figure 3, pointed out the dangerous situation, and asked for a four way stop at Howard/Hunter Oaks Lane and Brace Road.

Madeline Coles, 5470 Brace Road, stated the following:

- thanked staff for adding more speed limit signs and double stripping
- if the stop signs are not an option then asked for more enforcement with the help of California Highway Patrol

Gerald Neal stated the following:

- concerned with future development along Brace Road and the impact it will cause
- not sure if a stop sign will help
- it did help when the Sheriff's patrolled

Kai Krienke stated the following:

- most of the traffic along Brace Road is commuter traffic
- suggested putting a stop sign by Secret Ravine

Following further discussion on the matter, a motion was made to put a four way stop at Howard Lane and Brace Road. On motion by Councilmember Fuson, seconded by Councilmember Millward and passed by the following roll call vote:

Ayes: Fuson, Millward, Morillas, Scherer, Ucovich

Noes: None

16. **Service Fees** (Continued from June 13, 2006)

Consider resolution and accompanying papers prepared to consolidate the service fees adopted in December 2005 and adopt those the Council reviewed at the last Council meeting

**Recommended action:** Adopt resolution consolidating and setting service fees

**Public comment:**

Continued to August 8, 2006.

17. **League of California Cities Voting Delegates**

Consider who of the Council will be attending the League Conference

**Recommended action:** Appoint one voting delegate and one alternate from among those attending

**Public comment:**

Continued to August 8, 2006.

18. **Future Agenda Items**

Consider items awaiting schedule on a Council agenda

**Recommended action:** Receive and file

**Public comment:**

Councilmember Millward stated the following:

- (distributed a handout) and noted that his wife found a good price on Christmas garland for the light posts that will last ten years
- there are 4 or 5 residents that will donate bus stop benches to the Town

Following further discussion on the matter, Council directed staff to come back with more information for the meeting in August.

## **COMMITTEE REPORTS**

19. Placer County Economic Development Commission – Ucovich
20. Placer County Flood Control/Water Conservation District – Morillas
21. Placer County Transportation Planning Agency – Ucovich
22. Placer County Mosquito Abatement – Ucovich
23. Placer County Air Pollution Control District – Millward/Ucovich
24. Sacramento Area Council of Governments – Fuson/Ucovich

## **ADJOURNMENT**

Mayor Morillas stated there was no further business and adjourned at 11:38 p.m.

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Mayor

